

of Sanctuary. It had been raised by the violent sacrilege and murder in Westminster Abbey, which seemed to put the Church in the right and the State in the wrong. But the partisans of the State felt so strongly on the general question that they did not hesitate to raise it on the particular issue of the case of Shakell and Haule. While repudiating the homicide, the government maintained the right of the King's officers to make the arrest in church. The reason of the firm attitude adopted was that the right of Sanctuary had become a public nuisance that called aloud for remedy. Any criminal escaping from royal justice for felony or murder had only to reach the nearest church and he was perfectly safe. The King's officers could not touch him. The coroner might come as far as the door and bargain with him. If he confessed the crime, he was then entitled to * abjure the realm '—that is, to swear to go into perpetual banishment. If he refused to ' abjure/ the constables were forced to besiege him by sitting round the churchyard to cut off supplies, and so starve him out. Sometimes the criminal glided through their lines at night and so made good his escape.¹ Sometimes he was reduced by siege to come to terms of * abjuration * with his pursuers. In that case he was dressed in a penitent's garb, a cross was placed in his hand, and thus attired he was let loose on the high road, under oath to go straight to the nearest port and take the next ship outward-bound. That was the most that the officers of justice could do to the vilest criminal when once he had taken Sanctuary. There was not even security that he would fulfil his oath and take himself out of the country. A clever thief would not find it hard to lose himself in the crowded alleys of the seaport to which he was sent, and there continue his trade. Even if he did go abroad, he would run little risk in returning to Home other part of England where he could not be recognised.*² In the Middle Ages there was no detective system by which a thief once convicted would always be known again wherever he appeared. If he was caught he was hanged. Such was the simple theory of justice at that time. There was more to be said for it in the days when police supervision was impossible than in

¹ *Liber Albus*, p. 82 * Groaa* 80-?,

* kJee A#.